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REMARKS

Claims 1-39 are currently pending in the subject application and are presently under consideration. A listing of the claims is found at pages 2-8. Claims 1, 3-5, 10, 11, 14, 20, 21, 28, 31, 35, and 39 have been amended herein. No new matter has been added.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objections to Claims 3-5, 10, 11, 20, and 31

Appropriate correction has been made to the aforementioned claims. Thus, these objections should be withdrawn.

II. Rejection of Claims 1-39 Under 35 U.S.C. §102(b)

Claims 1-39 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jones *et al.* (U.S. 5,666,501).

Applicants' representative respectfully requests that Examiner withdraw the rejection for these claims for at least the following reasons.

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987) Emphasis added. "The identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Jones *et al.* teaches a method, apparatus, and memory for installing software stored on a second machine to a first machine in a distributed computing environment. A graphical user interface (GUI) enables a user to manually select the software from various source media (local and/or remote) and to manually choose from software bundles of a selected source media. All or part of the software of a selected bundle can also be manually chosen by the user for install. The GUI also includes display controls

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that allow the user to manually control and manipulate a software item in a panel of software items presented for installation.

As amended, claim 1 recites in part that the "...setup component [is] adapted to *sense an attribute of a registry associated with the computer system*, to selectively provide at least one setup prompt to the user interface component according to the attribute, and to selectively install the software component on the computer system according to the user command." *Jones et al.* neither teaches nor suggests a software tool that senses a registry attribute to install software as in the claimed invention. A similar limitation is recited in amended independent claims 14, 21, 28, 35, and 39. Thus, Applicants' representative submits that these claims and those that depend therefrom are no longer anticipated by *Jones et al.* and should be allowed.

With respect to claims that recite a "registry key" (e.g., claim 6), the Examiner indicates that *Jones et al.* discloses such limitation. Applicant's representative respectfully disagrees. Portions of the reference cited by the Examiner as being relevant thereto do not disclose such a limitation. In fact, nowhere in *Jones et al.* is the term "registry" used.

Moreover, it would not have been obvious to one skilled in the art to use the system and methods of *Jones et al.* to achieve the benefits of the subject invention as claimed. *Jones et al.* teaches manual manipulation of the software selection and installation process via the GUI. In contrast, claimed aspects of the subject invention use a software tool that includes a setup component that senses a registry attribute and selectively provides in accordance therewith a setup prompt to allow the user to install the software or portions thereof. Accordingly, it would not have been obvious to one skilled in the art to use or adapt the architecture of *Jones et al.*

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,
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